



Express Mail No. EM 061 020 159 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Monteiro et al.

Serial No.: 09/110,369 Group Art Unit: 2414

Filed: July 6, 1998 Examiner: T. Peeso

For: MULTICASTING METHOD AND
APPARATUS Attorney Docket ~~Multicast 005~~ 005

CONFIRMATION OF SMALL ENTITY STATUS

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Assistant Commissioner for Patents
BOX ISSUE FEE
Washington, D.C. 20231

Sir:

NY2 - 0000
Office of Patent Publication
Director's Office

In response to the Notice of Allowance dated December 21, 1998, applicants submit herewith copies of:

- 1) Continuation application form filed in connection with this application, which indicated at paragraph 10 that a Small Entity Statement was filed in the prior application, and such status is still proper and desired; and
- 2) Request to Establish Status As A Small Entity And Request for Refund Pursuant To 37 C.F.R. § 1.28(a) as submitted in this application's parent application Serial No. 08/644,072; and
- 3) Verified Statement Claiming Small Entity Status as submitted in this application's parent application Serial No. 08/644,072.

Since it is believed that applicants are entitled to Small Entity Status in this application, the issue fee for this application is believed to be \$ 605.00.

No fee is believed to be due for this submission.
Should any fees be required, please charge such fees to Pennie
& Edmonds LLP deposit account no. 16-1150.

Respectfully submitted,

 Andrew Sanders
Reg. No. 40,433

Date March 22, 1999

For Francis E. Morris 24,616
Francis E. Morris (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036
(212) 790-9090

Enclosure



PENNIE & EDMONDS LLP DOCKET NO. 8850-0004-999

Express Mail No.: EM 490 491 774 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner T. Peeso

Art Unit 2764

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

This is a request for filing a continuation divisional application under 37 CFR § 1.53(b), of pending prior application no. 08/644,072 filed on May 9, 1996.

of Antonio M. Monteiro and James F. Butterworth
(inventor(s) currently of record in prior application)

for MULTICASTING METHOD AND APPARATUS
(title of invention)

1. The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	1	-20	0	\$22.00 each	0.00
Independent	1	-3	0	\$82.00 each	0.00
			Basic Fee		790.00
			Multiple Dependency Fee If Applicable (\$270.00)		
			Total		790.00
			50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern		- 395.00
			Total Filing Fee	\$	395.00

2. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3. Amend the specification by inserting before the first line the following sentence: This is a continuation, division, of application no. 08/644,072, filed May 9, 1996, and such application is hereby incorporated by reference.

4a. Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

4b. New formal drawings are enclosed.

4c. Informal drawings are enclosed.

5a. Priority of application no. $\phi\phi$ filed on $\phi\phi$ in $\phi\phi$ is claimed under 35 U.S.C. §119.

5b. The certified copy has been filed in prior application no. $\phi\phi$, filed $\phi\phi$.

6. The prior application is assigned of record to Netcast Communications Corp., 9 DesBrosses Street, New York, New York 10013 (Reel/Frame 8080/0937).

7a. The Power of Attorney appears in the original papers in the prior application no. 08/644,072, filed May 9, 1996.

7b. Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. $\phi\phi$, filed $\phi\phi$ is enclosed.

8. This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no. $\phi\phi$, filed on $\phi\phi$ be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. $\phi\phi$ is enclosed.

9. The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. $\phi\phi$ is the same as the content of the computer readable form submitted in application no. $\phi\phi$.

10. A Small Entity Statement was filed in the prior application, and such status is still proper and desired.

11. Please cancel original claims 2-37 in the prior application without prejudice before calculating the filing fee.

Respectfully submitted,


 ANDREW SANDAS
 REC. No. 40,433

 July 6, 1998
 (date)

 For FRANCIS E. MORRIS 24,615
 Frank E. Morris (Reg No.)

 PENNIE & EDMONDS LLP
 1155 Avenue of the Americas
 New York, NY 10036

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

MONTEIRO ET AL.

Serial No.: 08/644,072

Filed: May 9, 1996

For: MULTICASTING METHOD AND
APPARATUS

Attorney Docket No.: 8850-003



Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Pennie & Edmonds
1155 Avenue of the Americas
New York, NY 10036-2711

REQUEST TO ESTABLISH STATUS AS A SMALL ENTITY AND
REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention: Refund Section, Accounting Division,
Office of Refund

Sir:

A filing fee in excess of the required fee has been paid in connection with the subject patent application. In particular, a fee of \$750.00 has been paid. An assignment of the application to Netcast Communications Corporation, having a principal place of business at 9 DesBrosses Street, New York, NY, is being submitted to the Honorable Commissioner of Patents and Trademarks concurrently herewith. Netcast Communications Corp. qualifies as a small entity under 37 C.F.R. 1.9 (d), (f) and

EXPRESS MAIL CERTIFICATION

"Express Mail" Label No. EM 074 007 505 US Date of Deposit July 8, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

MICHAEL VIGUIE

(Type or print name of person mailing paper or fee)

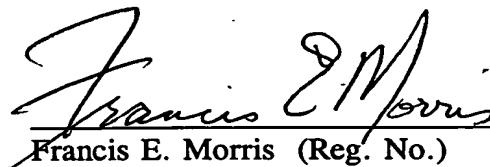
(Signature of person mailing paper or fee)

PENY3-496620.1

1.27(c); a Verified Statement Claiming Small Entity Status in the above-identified case is also being filed concurrently herewith. Therefore, a fee of only \$375.00 is required.

Accordingly, please refund 50% of the filing fee by crediting \$375 to Deposit Account No. 16-1150. A duplicate of this sheet is enclosed.

Respectfully submitted,



Francis E. Morris

24,615

Francis E. Morris (Reg. No.)

Date: July 3, 1996

PENNIE & EDMONDS
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